Rodney L. Umberger, WSBA No. 24948 Joshua H. Tinajero, WSBA No. 55949 WILLIAMS, KASTNER & GIBBS PLLC Two Union Square 601 Union Street, Suite 4100 1 Honorable John H. Chun 3 Seattle, WA 98101-2380 Phone: 206.628.6600 Fax: 206.628.6611 Email: rumberger@williamskastner.com 5 Email: itinajero@williamskastner.com 6 Attorneys for Penske Truck Leasing Co., LP, of Washington 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 PRESTON WILSON, an individual CASE NO. 2:21-cv-00849-JCC 10 STIPULATION AND ORDER OF Plaintiff, DISMISSAL OF ALL CLAIMS WITH 11 **PREJUDICE** v. 12 [CLERK'S ACTION REQUIRED] GERARDO PONCE and JANE/JOHN doe 13 PONCE, individually and as a marital community; and PENSKE TRUCK LEASING 14 Co., L.P. OF WASHINGTON, a foreign limited partnership, 15 Defendants. 16 17 **STIPULATION** 18 IT IS HEREBY stipulated and agreed by the Parties hereto, through their undersigned 19 attorneys of record, that all claims asserted by Plaintiff Preston Wilson against Defendants 20 21 Gerardo Ponce and Jane/John Doe Ponce, and Penske Truck Leasing CO. L.P. of Washington, 22 are dismissed with prejudice and without an award of attorney fees or costs to any party. 23 DATED this 13th day of February, 2023. 24 25 STIPULATION AND ORDER OF DISMISSAL OF ALL CLAIMS Williams, Kastner & Gibbs PLLC WITH PREJUDICE - 1 601 Union Street, Suite 4100 Seattle, WA 98101-2380 (206) 628-6600

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2	LAW OFFICE OF J.D. SMITH, PLLC	WILLIAMS, KASTNER & GIBBS PLLC
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4	By: <u>s/J.D. Smith</u> J.D. Smith, WSBA #28246	By: <u>s/Joshua H. Tinajero</u> Rodney L. Umberger, WSBA #24948
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8	Attorneys for Plaintiff Preston Wilson	Email: rumberger@williamskastner.com jtinajero@williamskastner.com
9		Defendant Penske Truck Leasing Co., L.P.
10		Defendant I enske ITuck Leasing Co., L.I.
11	Defendant Gerado Ponce, Pro Se	
12		
13	By: s/Gerardo Ponce	_
14	Gerardo Ponce	
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STIPULATION AND ORDER OF DISMISSAL OF ALL CLAIMS WITH PREJUDICE - $\boldsymbol{2}$

Williams, Kastner & Gibbs PLLC 601 Union Street, Suite 4100 Seattle, WA 98101-2380 (206) 628-6600

ORDER Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that all claims asserted by Plaintiff Preston Wilson against Defendants Gerardo Ponce and Jane/John Doe Ponce, and Penske Truck Leasing CO. L.P. of Washington, are dismissed with prejudice and without an award of attorney fees or costs to any party. DATED this 13th day of February, 2023. ohn M. Chan UNITED STATES DISTRICT COURT LAW OFFICE OF J.D. SMITH, PLLC WILLIAMS, KASTNER & GIBBS PLLC By: J.D. Smith By: s/Joshua H. Tinajero J.D. Smith, WSBA #28246 Rodney L. Umberger, WSBA #24948 Joshua H. Tinajero, WSBA #55949 8015 SE 28th Street, Suite 212 Mercer Island, WA 98040 601 Union Street, Suite 4100 Telephone: (206) 588-8529 Seattle, WA 98101-2380 Telephone: (206) 628-6600 Email: JD@JDSmithLaw.com Email: rumberger@williamskastner.com jtinajero@williamskastner.com Attorneys for Plaintiff Preston Wilson Defendant Penske Truck Leasing Co., L.P. Defendant Gerado Ponce, Pro Se By: s/Gerardo Ponce Gerardo Ponce STIPULATION AND ORDER OF DISMISSAL OF ALL CLAIMS Williams, Kastner & Gibbs PLLC

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WITH PREJUDICE - 3

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1 2 **CERTIFICATE OF FILING AND SERVICE** 3 I hereby certify that on February 13th, 2023, I electronically filed the foregoing and all 4 referenced attachments with the Clerk of the Court using the CM/ECF system which will send 5 notification of such filing to those registered with CM/ECF. 6 J.D. Smith, WSBA #28246 **SENT VIA:** Law Office of J.D. Smith, PLLC 7 **▼** E-File/E-Serve 8015 SE 28th Street, Suite #212 ☐ Regular U.S. Mail Mercer Island, WA 98040 8 ☐ Legal Messenger Telephone: (206) 588-8529 ☐ Email 9 Email: JD@JDSmithLaw.com and Jocelyn Gil - Jocelyn@jdsmithlaw.com 10 Attorney for Plaintiff Preston Wilson 11 **SENT VIA:** 12 Gerardo Ponce and Jane Doe, Pro Se Defendants ☐ E-File/E-Serve 13 3509 North Rockwell Avenue ☐ Regular U.S. Mail ☐ Legal Messenger Bethany, OK 73008 14 Email 15 DATED this 13th day of February 2023. 16 /s/Tony Dondero 17 Tony Dondero, Legal Assistant 18 19 20 21 22 23 24 25 STIPULATION AND ORDER OF DISMISSAL OF ALL CLAIMS WITH PREJUDICE - 4

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